

CIVIL MINUTES
UNITED STATES DISTRICT COURT OF ARIZONA – PHOENIX

United States District Judge David G. Campbell

Date: September 6, 2018

IN RE: Bard IVC Filters Products Liability
Litigation

Case Number: MD-15-02641-PHX-DGC

**Mark O'Connor, Ramon Lopez,
Julia Reed-Zaic, Laura Smith,
Stuart Goldenberg for plaintiffs**

APPEARANCES: **Ricard North, Matthew Lerner,
Elizabeth Helm, James Rogers,
James Condo for defendant**

**Court Reporter – Patricia Lyons
Courtroom Deputy – Traci
Abraham**

PROCEEDINGS ☒ **Open Court** ☐ **Chambers** ☐ **Other:**

Final pretrial conference re:Hyde trial held.

Juror questionnaires discussed. Additional 6 questionnaires from jurors 19,21,35,42,144 and 179 received on 9/5/2018 discussed. Parties have no objections to the excusal of jurors for hardship addressed in orders docs. 12113 and 12375. In addition, Court will excuse juror 19 and 179 for hardship. No objections.

Plaintiff challenges for cause: Jurors 2,9,16,40,49,50,52,61,66,78,107, 146,152, 159, 172. Court will grant the challenge as to jurors 9,40,49,61,66,78,146.

Defendant challenges for cause: 59,63,80,114,118,199. Court will grant the challenge as to jurors 63,80,118,199. Defendant addresses hardship as to jurors 6,68 and 163. Court will excuse 163.

Plaintiff addresses their challenge for cause as to juror 35. Court will grant and excuse juror 35.

Court will call in 55 of the lowest numbered jurors not excused to participate in voir dire on 9/18/2018. Parties shall provide the Court no later than 9/14/2018, a joint witness list for the potential jurors participating in voir dire. Court's proposed voir dire and preliminary jury instructions given to counsel. Counsel to review and be prepared to discuss on 9/18/2018 at 8:30 a.m.

Trial days: September 18-21, 2018 at 8:30 a.m.; September 24, 2018 at 1:00 p.m.; September 25-28, 2018 at 8:30 a.m. and October 1-5, 2018 at 8:30 a.m. Plaintiff allotted 33 hours, defendant 30 hours. Punitive damages phase bifurcated.

Motions in limine discussed and argued. Court will issue an order.

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Final pretrial order discussed. Court will read the parties stipulations before opening statements. Motion for extension as to Jones exhibits (doc. 12440) is granted. Court will address on October 26, 2018. Redactions to exhibits in the Jones trial will apply to the Hyde trial. Court will adopt the final pretrial order (doc. 12388) with the modifications as addressed on the record.

Rule invoked with exception of experts. Court will issue an order.